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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael H. Capon, et al.  
Serial No.: 09/751,756  
Filing Date: December 29, 2000  
Title: A METHOD AND SYSTEM FOR  
PROVIDING EXTENDED REACH OF A  
SUBSCRIBER LINE SIGNAL

Honorable Assistant Commissioner  
of Patents  
Washington, D.C. 20231

Dear Sir:

RECEIVED  
JUN 05 2001  
OFFICE OF PETITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail number EL 501024832 US in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.

  
Levado Hamilton

4-16-01  
Date

PETITION TO MAKE APPLICATION  
FOR PATENT UNDER 37 C.F.R. § 1.47(a)

Bradley P. Williams, on behalf of Cisco Technology, Inc. ("Cisco"), owner of the above-identified patent application (the "Application"), hereby petitions to make application for patent on behalf of joint inventor, Michael H. Capon, under 37 C.F.R. § 1.47(a), and hereby respectfully submits the following:

1. On December 29, 2000, Cisco filed a non-provisional patent application entitled **A METHOD AND SYSTEM FOR PROVIDING EXTENDED REACH OF A DIGITAL SUBSCRIBER LINE SIGNAL** with the United States Patent and Trademark Office, which was assigned Application Serial No. 09/751,756.

2. The named joint inventors are Robert A. Marshall and Michael H. Capon. Michael H. Capon refused to join in the Application.

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3. Proof of the pertinent facts is set forth in the Declaration of Bradley P. Williams, submitted with this Petition.

4. Documentary evidence recited in the Declaration of Bradley P. Williams is also attached.

5. The statements in the Declaration of Bradley P. Williams, made with first hand knowledge of the facts, and the attached documentary evidence, are self-explanatory and are submitted as proof of the difficulty to join inventor Michael H. Capon.

6. The last known address and phone number for Michael H. Capon is:

16601 FM 1325 #636  
Austin, TX 78728  
(512) 671-7682

7. A copy of the Declaration and Power of Attorney executed by joint inventor, Robert A. Marshall, on behalf of himself and joint inventor Michael H. Capon pursuant to 37 C.F.R. § 1.64(b) is also submitted as Exhibit C of the Declaration. The original unexecuted Declaration and Power of Attorney was submitted with the application filing on December 29, 2000.

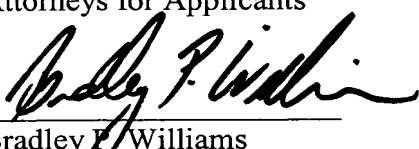
8. Please find enclosed a check in the amount of \$130.00 as provided by 37 C.F.R. § 1.17(i). The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to the Deposit Account No. 02-0384 of Baker Botts L.L.P.

It is respectfully requested that this Petition be granted.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants

Date: 4/16/01

  
Bradley P. Williams  
Reg. No. 40,227